

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

PRENDA LAW, INC. and PAUL DUFFY,)
v.)
Plaintiffs/Counterdefendants,) Civil Action No. 1:13-cv-01569
v.) consolidated with
PAUL GODFREAD and ALAN COOPER,) Civil Action No. 1:13-cv-04341
Defendants/Counter-Plaintiffs.)
) Hon. Gary R. Feinerman

DEFENDANTS' MOTION TO TAKE JUDICIAL NOTICE OF CORPORATION FILE DETAIL REPORT FROM THE ILLINOIS SECRETARY OF STATE FOR PRENDA LAW, INC.

Pursuant to Federal Rule of Evidence 201, Defendants Godfread and Cooper respectfully request that the Court take judicial notice of the following facts:

1. According to the Office of the Illinois Secretary of State website Corporation File Detail Report, Prenda Law, Inc. was incorporated on November 7, 2011. (Ex. A)
2. According to the Office of the Illinois Secretary of State website Corporation File Detail Report, Prenda Law, Inc. was voluntarily dissolved on July 26, 2013. (Ex. A)
3. According to the Office of the Illinois Secretary of State website Corporation File Detail Report, Prenda Law, Inc. filed its most recent annual report on February 6, 2013. (Ex. A)
4. Courts may take judicial notice of a corporation's filing on the Illinois Secretary of State website. *Lengerich v. Columbia Coll.*, 633 F.Supp.2d 599, 607 n.2 (N.D. Ill. 2009)
- 5.. Courts may take judicial notice of documents in the public record. Fed.R.Evid. 201(b)(2); *Menominee Indian Tribe of Wisconsin v. Thompson*, 161 F.3d 449, 456 (7th Cir. 1998) (“Judicial notice of historical documents, documents contained in the public record, and reports of administrative bodies is proper.”) “Judicial notice is most frequently used for noticing the

contents of court records such as judicial orders or decrees.” *ABN AMRO, Inc. v. Capital Int’l Ltd.*, No. 04 C 3123, 2007 WL 845046, at *9 (N.D. Ill. Mar. 16, 2007). The Seventh Circuit has indicated that courts may even have an obligation to take judicial notice of documents in related proceedings where the proceedings have a direct relation to the matters at issue. *See Opoka, v. I.N.S.*, 94 F.3d 392, 394 (7th Cir. 1996) (“This court, however, has the power, in fact the obligation, to take judicial notice of the relevant decisions of courts and administrative agencies, whether made before or after the decision under review. Determinations to be judicially noticed include proceedings in other courts, both within and outside of the federal judicial system, if the proceedings have a direct relation to matters at issue.” (internal quotations omitted)).

6. The facts Godfread and Cooper ask the Court to take judicial notice of fall squarely within Fed.R.Evid. 201 because they are easily ascertainable from public records on the Illinois Secretary of State website, the accuracy of which cannot be reasonably questioned. Godfread and Cooper respectfully request that the Court take judicial notice of the points enumerated herein, and the entire contents of Ex. A attached hereto.

Dated: November 13, 2018

Respectfully submitted,

/s/ Erin K. Russell
The Russell Firm, LLC
650 W Lake Street, Suite 210A
Chicago, IL 60661
T: 312-994-2424
F: 312-706-7966
erin@russellfirmip.com
ARDC # 6287255

/s/ Jason E. Sweet
BOOTH SWEET LLP
32R Essex Street
Cambridge, MA 02139
Tel.: (617) 250-8602
Fax: (617) 250-8883

jsweet@boothsweet.com
BBO# 668596

*Counsel for Defendants and Counter-Plaintiffs
Paul Godfread and Alan Cooper*

CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2018, the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing. Notice will also be delivered via USPS Priority Mail to:

Paul R. Hansmeier
9272 Cortland Alcove
Woodbury, MN 55125

John Steele
18871 N. 69th Ave.
Glendale, AZ 85308

/s/ Erin K. Russell